

MACDONALD | FERNANDEZ LLP
Reno F.R. Fernandez III (SBN 251934)
Matthew J. Olson (SBN 265908)
221 Sansome Street, Third Floor
San Francisco, CA 94104
Tel: (415) 362-0449
Fax: (415) 394-5544

Attorneys for Plaintiff,
SIX4THREE, LLC

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN MATEO

SIX4THREE, LLC, a Delaware limited liability
company,

Plaintiff,

vs.

FACEBOOK, INC., a Delaware corporation;
MARK ZUCKERBERG, an individual;
CHRISTOPHER COX, an individual; JAVIER
OLIVAN, an individual; SAMUEL LESSIN, an
individual; MICHAEL VERNAL, an individual;
ILYA SUKHAR, an individual; and DOES 1
through 50, inclusive,

Defendants.

Case No: CIV 533328

**OBJECTION TO RELIEF REQUESTED
IN DEFENDANTS' CASE
MANAGEMENT CONFERENCE
STATEMENT**

Date: July 19, 2019
Time: 2:00 pm
Department: 23 (Complex Civil)

(UNLIMITED JURISDICTION)

COMES NOW Six4Three, LLC, Plaintiff herein, objecting to the relief requested in the
case management conference statement filed by the Defendants on July 12, 2019 (Defendants'
"CMC Statement"), and respectfully represents as follows:

1. Defendants' CMC statement runs on to seventeen pages – thirty-five with
exhibits – and is not consistent with Rule 3.725(c) of the California Rules of Court.

2. Plaintiff hesitates arguably to add to the problem, but prudence dictates that it
object to the extraordinary relief requested in Defendants' CMC statement. Plaintiff will be
brief.

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1 3. The Defendants' CMC appears to be a disguised motion for certain unusual
2 forms of relief (as well as being a length brief on certain substantive issues). In particular, the
3 Defendants request that the Court order that Plaintiff as well as several non-parties engage
4 counsel to appear and undertake unlimited-scope representations.

5 4. First, Defendants' request is procedurally improper and would lead the Court to
6 deny Plaintiff due process. Neither notice nor a motion have been filed or served. Such
7 extraordinary relief is not available at a case management conference, and it is outside of the
8 Court's inherent power to manage its docket.

9 5. Second, there is no basis in law for the Court to dictate the manner in which
10 Plaintiff and non-parties engage counsel. Limited scope representation is available in California
11 to expand the ability of litigants to participate in civil actions. Moreover, the discovery requests
12 and motions that the Defendants desire Plaintiff to handle with assistance of counsel are not
13 currently pending. The Court should decline the Defendants' invitation to infringe upon
14 Plaintiff's important right to counsel of its choice.

15 **WHEREFORE**, Plaintiff objects to the relief requested in the Defendants' CMC
16 Statement.

17 DATED: July 17, 2019

MACDONALD FERNANDEZ LLP

19 By: 

20 RENO F.R. FERNANDEZ III
21 Attorneys for Plaintiff,
22 SIX4THREE, LLC

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Donald P. Sullivan
Wilson Elser
525 Market Street, 17th Floor
San Francisco, CA 94105
donald.sullivan@wilsonelser.com

Counsel for Gross & Klein LLP

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Sonal N. Mehta, Esq.
Joshua H. Lerner, Esq.
Laura E. Miller, Esq.
Catherine Y. Kim, Esq.
Durie Tangri LLP
217 Leidesdorff Street
San Francisco, CA 94111
smehta@durietangri.com
jlerner@durietangri.com
lmiller@durietangri.com
ckim@durietangri.com
cc.: service-six4three@durietangri.com

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Counsel for Defendant Facebook, Inc.
Stuart Gross, Esq.
Benjamin Klein, Esq.
Gross & Klein LLP
The Embarcadero, Pier 9, Suite 100
San Francisco, CA 94111
sgross@grosskleinlaw.com
bklein@grosskleinlaw.com
cc: iatkinsonyoung@grosskleinlaw.com

Former Counsel for Plaintiff Six4Three,
LLC

1 Thomas P. Mazzucco, Esq.
2 Joseph S. Leveroni, Esq.
3 Murphy Pearson Bradley & Feeney
4 88 Kearny Street, 10th Floor
5 San Francisco, CA 94108
6 tmazzucco@MPBF.com

7 Counsel for Birnbaum & Godkin, LLP

8 As follows:

9 ☒ BY ELECTRONIC SERVICE: By electronically mailing a true and correct copy
10 through the Macdonald Fernandez LLP electronic mail system from to the email
11 addresses set forth above.
12

13 Executed on July 17, 2019, at San Francisco, California.

14 I declare under penalty of perjury under the laws of the State of California that the foregoing
15 is true and correct and that I am employed in the office of a member of the bar of this Court, at
16 whose direction the service was made and that the foregoing is true and correct.
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19 Samantha G. Brown
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